

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ERIC GOLD and FERNE GOLD,
Plaintiffs,**

CIVIL ACTION

v.

**STATE FARM MUTUAL INSURANCE
COMPANY and STATE FARM FIRE AND
CASUALTY INSURANCE COMPANY,
Defendants.**

NO. 15-1975

ORDER

AND NOW, this 6th day of June, 2015, upon consideration of Defendant State Farm Fire and Casualty Company's Motion to Dismiss Second Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) and Motion to Strike Under Rule 12(f) (ECF No. 10) and Plaintiffs' response thereto (ECF No. 13), **IT IS ORDERED** that:

- (a) the motion to dismiss Counts I and IV of the Second Amended Complaint is **DENIED**;
- (b) the motion to dismiss Counts III and VI of the Second Amended Complaint is **GRANTED**; Counts III and VI are **DISMISSED WITH PREJUDICE**;
- (c) the motion to strike paragraphs 13, 67, and 86 of the Second Amended Complaint is **GRANTED**; paragraphs 13, 67, and 86 are **STRICKEN**; and
- (d) the motion to strike paragraph 3 of the Second Amended Complaint is **DENIED**.

BY THE COURT:

/S/WENDY BEETLESTONE, J.

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